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UPI-3S

(WEAPONS)

NEW ORLEANS--A FEDERAL APPEALS COURT RULED YESTERDAY THAT DENVER GUN COLLECTOR JOHN J. KING IS ENTITLED TO COMPENSATION FROM THE GOVERNMENT WHICH SIEZED FROM HIM THE WEAPONS USED TO KILL PRESIDENT KENNEDY AND DALLAS POLICE OFFICER J.D. TIPPIT.

KING PAID $10,000 TO LEE HARVEY OSWALD'S WIDOW MARINA FOR THE RIFLE WHICH KILLED THE PRESIDENT AND THE PISTOL USED ON THE POLICEMAN.

THE U.S. 5TH CIRCUIT COURT OF APPEALS HELD WHILE THERE WAS NO QUESTION THAT THE FEDERAL GOVERNMENT HAD THE RIGHT TO KEEP THE WEAPONS, THEY WERE NOT SUBJECT TO FORFEIT BECAUSE THERE WAS NO CLEAR VIOLATION OF FEDERAL LAW INVOLVED.

THE RULING REVERSED THE FINDINGS OF A FEDERAL COURT WHICH SAID THE GUNS WERE FORFEITED BECAUSE OF VIOLATIONS OF FEDERAL FIREARMS ACTS.

THE 5TH CIRCUIT RULED THAT ALTHOUGH OSWALD USED A FICTITIOUS NAME WHEN HE ORDERED THE WEAPONS, HE DID NOT CLEARLY VIOLATE ANY LAW. IT SAID THE MAIL ORDER GUN DEALER, ALTHOUGH REQUIRED BY LAW TO KEEP ACCURATE RECORDS OF PURCHASERS, COULD NOT BE EXPECTED TO RECORD ANY NAMES OTHER THAN THOSE IT RECEIVED WHEN THE GUNS WERE ORDERED.

SW1037AED7/3S